

MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION

Official Minutes

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MINUTES OF THE REGULARLY SCHEDULED HIGHWAYS AND TRANSPORTATION COMMISSION MEETING IN JEFFERSON CITY, MISSOURI, WEDNESDAY, MAY 4, 2011

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Wednesday, May 4, 2011, at the Transportation Building, 105 West Capitol, Jefferson City, Missouri. Grace M. Nichols, Chair, called the meeting to order at 9:30 a.m. The following Commissioners were present: Grace M. Nichols, Rudolph E. Farber, David A. Gach, Lloyd J. Carmichael, Stephen R. Miller, and Kenneth H. Suelthaus.

The meeting was called pursuant to Section 226.120 of the 2000 Revised Statutes of Missouri, as amended. The Secretary verified that notice of the meeting was posted in keeping with Section 610.020 of the 2000 Revised Statutes of Missouri, as amended.

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Kevin Keith, Director of the Missouri Department of Transportation; Rich Tiemeyer, Chief Counsel for the Commission; and Pamela J. Harlan, Secretary to the Commission were present on Wednesday, May 4, 2011.

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"Department" or "MoDOT" herein refers to Missouri Department of Transportation. "Commission" or "MHTC" herein refers to Missouri Highways and Transportation Commission.

-- CLOSED MEETING -

VOTE TO CLOSE MEETING

The agenda of the closed meeting was posted in keeping with Sections 610.020 and 610.022, RSMo, including the following statutory citations allowing the meeting to be closed:

- 1. Section 610.021(11), (12) Specifications for competitive bidding, sealed bids, or negotiated contracts.
- 2. Section 610.021(1) Legal actions and attorney-client privileged communications.
- 3. Section 610.021(3), (13) Personnel administration regarding particular employees.

Upon motion duly made and seconded to convene in closed session, the Chair called for a voice vote of the members. The vote was as follows:

Commissioner Nichols, Aye Commissioner Farber, Aye Commissioner Gach, Aye Commissioner Carmichael, Aye Commissioner Miller, Aye Commissioner Suelthaus, Aye

The Commission met in closed session from 8:00 a.m. until 9:15 a.m. and from 12:00 p.m. until 1:00 p.m.

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-- OPEN MEETING -

APPROVAL OF MINUTES

Upon motion by Commissioner Farber, seconded by Commissioner Gach, the Commission unanimously approved the minutes of the Regular Meeting held April 6, 2011 and amended the minutes of the Regular Meeting held January 12, 2011. The Chair and Secretary to the Commission were authorized and directed to sign and certify said minutes and to file same in the office of the Secretary.

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CONSENT AGENDA

Consent Agenda Process

In order to make the most efficient use of Commission meeting time and to ensure Commission members are well informed on issues requiring their action, staff prepares and submits to the Commission members, in advance of their meeting, internal memoranda consisting of advice, opinions, and recommendations related to the items on the Commission meeting agenda. Those items considered by staff to be of a routine or non-controversial nature are placed on a consent agenda. During the meeting, items can be removed from the consent agenda at the request of any one Commission member. The items that are not removed from the consent agenda are approved with a single motion and unanimous vote by a quorum of the members.

Minutes reflecting approval of items on the consent agenda are singly reported herein and intermingled with minutes reflecting action on related subjects that were openly discussed. Reference to "consent agenda" is made in each minute approved via the process described in the paragraph above. Minutes reflecting action on items removed from the consent agenda and openly discussed reflect the open discussion and vote thereon.

Consideration of May 4, 2011, Consent Agenda

No items were removed from the consent agenda. Upon motion by Commissioner Farber, seconded by Commissioner Gach, the consent agenda items were unanimously approved by a quorum of Commission members present.

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COMMISSION COMMITTEES AND COMMISSION RELATED BOARDS

The Commission has two committees: Audit and Legislative. In addition, it elects Commission representatives to two boards: Missouri Transportation Finance Corporation Board of Directors and MoDOT and Patrol Employees' Retirement System Board of Trustees. The following committee reports were made during the May 4, 2011, meeting.

Audit Committee – Commissioner Nichols stated there was no report.

Legislative Committee – Commissioner Carmichael reported there were only seven days remaining in the legislative session. The Commission visited with legislators at the Capitol on May 3, 2011. There are several omnibus transportation-related proposals pending the General Assembly's approval. Two pending issues of importance to the Commission and Department include removing the requirement that MoDOT's cases go to binding arbitration, and a ban on texting for all ages.

Missouri Transportation Finance Corporation – Commissioner Gach reported the board addressed several administrative issues by electing fiscal year 2012 officers, re-electing Don Ransom to the MTFC Board, approving the fiscal year 2011 audit services contract and approving the fiscal year 2012 budget. The board also approved three loans totaling \$7,457,044. The board recognized staff for receiving their third consecutive Certificate of Achievement for Excellence in Financial Reporting from the Government Finance Officers Association.

MoDOT and Patrol Employees' Retirement System – Commissioner Farber reported the board interviewed potential investment advisors and authorized management to further negotiate with prospective investment advisors but did not act on employing an investment advisor. In addition, the board received a report from management on the status of the retirement system.

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ANNOUNCEMENT OF ELECTION

On behalf of the Commission, Chair Nichols announced that Kevin Keith was elected as the Vice-President of the Mid-America Association of State Transportation Officials (MAASTO) in April. Director Keith is filling the unexpired term vacated by the Ohio Department of Transportation Administrator. This association is a division of the American Association of State Highway and Transportation Officials (AASHTO) and assists with the development of national transportation policies and is made up of ten states mainly located in the Midwest region of the nation. The ten states that are members of MAASTO include: Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin. Director Keith will be the MAASTO Vice-President until the end of June 2011 and then succeed Tom Sorel, Commissioner of the Minnesota Department of Transportation, as President of the association. The Commission congratulated Director Keith on his new leadership role.

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DIRECTOR'S REPORT

During the May 4, 2011, Commission meeting the Director, Kevin Keith, provided the following report:

Weather related disasters – Director Keith reported that Southeast Missouri is experiencing record setting flooding. MoDOT staff is responding to the floods but the department will have to wait for the water to recede to determine how much damage has occurred to roads and bridges in the area and what repairs will need to take place. In addition, Missouri has experienced tornadoes; the most recent occurred in St. Louis and significantly impacted Lambert Airport and the surrounding area. MoDOT staff responded to the emergency and are working on the necessary repairs to the transportation system.

DELEGATION REPRESENTING THE JEFFERSON CITY AREA CHAMBER OF COMMERCE

On behalf of the Jefferson City Area Chamber of Commerce, Bob Gilbert, Chairman of the Jefferson City Area Chamber of Commerce Transportation Committee, commended the department for its many accomplishments including the drop in highway fatalities, the good condition of Missouri's roads, the increase in Amtrak ridership, and conversion of Highway 71 to Interstate 49.

Mr. Gilbert thanked the Commission for the completion of many projects. He reviewed several local projects that were completed with funding from the American Recovery and Reinvestment Act including the Route 179 and 50 interchange improvements in Jefferson City, and improvements to Route OO in Holts Summit. Mr. Gilbert expressed appreciation for the completion of a safety project that installed guard cables on Highway 63 between Jefferson City and Columbia, and for the enhancement project that built a bicycle and pedestrian bridge over the Missouri River connecting Jefferson City to the Katy Trail.

Mr. Gilbert explained there is a new project under way that will construct an interchange on Highway 179 in Jefferson City to provide access to the new St. Mary's Hospital. He thanked the Commission for this project which will allow a \$200 million investment in a new hospital for the community of Jefferson City.

Mr. Gilbert thanked the Commission and the department for using resources wisely. Through practical design, innovative project delivery, cost sharing, and taking advantage of the competitive market, the department has been able to save millions and direct those savings to new projects that otherwise would not have been possible. One of those projects that is possible due to the wise use of resources is an interchange at Lafayette Street and Highway 50 in Jefferson City. This project is now part of the Whitton Expressway Environmental Impact Statement, and the community is glad it is part of

the Statewide Transportation Improvement Program. This interchange is key for the redevelopment of the old state prison site. Community resources are part of this project and the city and county are seeking a loan through the Missouri Transportation Finance Corporation to advance the time frame for this project.

Mr. Gilbert also requested the Commission consider converting Highway 54 to an interstate similar to what is occurring on Highway 71 on the western side of the state. It is the region's vision to have the Capitol of Missouri located on an interstate. Currently, there are only five state Capitols that are not served by an interstate system.

Mr. Gilbert concluded his presentation by presenting a plaque as an expression of appreciation to Roger Schwartze, the District 5 Engineer, who retired from MoDOT recently. Commissioner Nichols thanked Mr. Gilbert for his presentation, as well as the community's forward thinking and cooperative effort to make things happen in the region.

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DRAFT 2012-2016 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM

On behalf of the Director, Machelle Watkins, Transportation Planning Director, presented the 2012-2016 Draft Statewide Transportation Improvement Program (STIP). Ms. Watkins explained there are many outstanding needs for transportation around the state, but the department is facing a funding crisis and the needs far outweigh the available funds. The department has taken the limited resources available and applied them to the Five-Year Direction, specifically for projects that target keeping the major roads in good condition, improving the minor roads, and holding our own on bridges. With limited resources, the department will lose the ability to deliver corridor improvements, make significant

safety improvements, address congestion, assist and support economic development, use longer term treatments, or address major bridge replacements.

Ms. Watkins explained the 2012-2016 STIP provides MoDOT's direction for all modes of transportation. The department is required to prepare the STIP by law and it outlines the work the department will do and the resources that will be used to accomplish the work in that Five-Year period, it also outlines the work that is planned for future projects. The STIP is the department's commitment for what the public is going to receive for their transportation dollars, and is developed through a collaborative effort with the public. The 2012-2016 STIP totals \$6.026 billion. There are three parts to the STIP: (1) local programs receive \$697 million, (2) multimodal programs receive \$950 million, and (3) highways and bridges receive \$4.379 billion. The department developed the STIP through the planning framework process which involves the department working with the public to identify and prioritize transportation needs around the state.

The next step in the process is for the department to conduct a public comment period for the draft STIP May 5 through June 3, 2011. The draft STIP will be shared with various audiences by personal contacts, news releases, and MoDOT's website. The department will collect the comments received and recommend action. Any changes to the STIP will be presented to the Commission at its July 13, 2011 meeting for consideration and approval.

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RIGHTSIZING MoDOT: A BOLDER FIVE-YEAR DIRECTION

Kevin Keith, Director, reported that in recent years, MoDOT has made significant improvements in the condition of Missouri's major routes; constructed a number of major transportation projects, such as upgrading Routes 36 and 60 to four lanes; completed major complex projects, such as I-64 in St. Louis; and accomplished innovative excellence with the Diverging Diamond Interchange in

Springfield. In addition, concentration on motorist safety has resulted in fatalities being at a historic low point. He reminded the Commission, however, that many of these successes were made possible as a result of the State Road Fund Bonding Program (Amendment 3) approved by the voters in 2004 and federal funds made available through the American Recovery and Reinvestment Act. These sources of temporary funding were used expeditiously, as intended, and now are exhausted. As a result, the \$1.2 billion construction program experienced in the previous five years would have been reduced to less than half, or \$500 million, without intervention.

Status of Five-Year Direction

Director Keith recalled that in an effort to intervene, on March 10, 2010, the Commission had approved a Five-Year Direction, which focused on making the best use of the resources available to the department. That program anticipated reducing the size of the organization and increasing efficiencies in order to direct as much funding as possible toward taking care of and improving Missouri's existing roads and bridges.

Director Keith reported that since embarking on the Five-Year Direction in March 2010, the workforce has been reduced by 340, \$64 million has been redirected toward roads and bridges, and progress has been made on improving the condition of Missouri's minor roads. He said that while the Five-Year Direction was a good initial plan, it would not be sufficient given the economic climate on the state and federal level.

Funding Outlook

Director Keith noted that the cost of fuel is approximately \$4 per gallon. Higher fuel prices negatively impacts the department in three ways: (1) increased costs of fuel for MoDOT maintenance operations, (2) increased contractor costs as reflected in bids on road improvement projects, and (3) increased cost of asphalt.

No progress has been made at the federal level toward enactment of a federal highway bill; therefore, funding is uncertain. Should funding be limited to only those funds generated by the highway trust fund, it would result in a loss of an estimated \$200 million of federal funding per year. On the other hand, should the current level of federal funding remain in place or should there be an increase, MoDOT will face the possibility of not having sufficient state funds to match the federal funds.

Director Keith stated that the State of Missouri has experienced reduced revenues and other state agencies have had to reduce staff, for the past three consecutive years.

There has been no indication of interest in raising revenue for transportation either at the state or national level. Citizens across the nation, including Missouri, are experiencing economic difficulty. They have had to adjust to a more conservative lifestyle and they understandably expect government agencies to do likewise.

Recognizing that sentiment and in keeping with the Commission's directive, Director Keith said he had challenged staff to develop a plan that would focus existing resources as effectively and efficiently as possible. The result of their months of work is an innovative, bold, and realistic endeavor to "right-size" the organization to allow the greatest amount of funds to be used for highway improvements.

Bolder Five-Year Direction

Director Keith announced that the Bolder Five-Year Direction would:

- Reduce the number of employees by approximately 1,200 based on February 28, 2010 staffing levels.
- Reduce the number of MoDOT facilities by 135, including the reduction of three district offices.
- Reduce the equipment fleet by 740 units.
- Redirect savings from the reductions to roads and bridges.

Reduced Number of Employees

Director Keith reported that salaries and benefits are the largest component of MoDOT's internal operating budget. The Bolder Five-Year Direction will reduce the number of employees by 1,200 based on February 28, 2010 levels (from 6,302 to approximately 5,106), or nineteen percent. Director Keith stated that MoDOT's significantly reduced funding equates to fewer road and bridge projects and, therefore, less work to support delivery of the Statewide Transportation Improvement Program. Therefore, the program delivery staff will be reduced by twenty-seven percent and the administrative staff will be reduced by thirty-one percent. He emphasized that MoDOT's operations (maintenance) functions would retain, or likely increase, its current work level; therefore, no reduction in the number of employees needed to actually perform the maintenance operations are anticipated. However, the number of operations staff will decrease by twelve percent as a result of the reduced need for supervisors and middle managers as maintenance facilities are closed and operations are reorganized.

Director Keith explained that to compensate for the reduction in staff, he anticipates using an appropriate level of contracting to supplement staff during peak periods. In addition, he reported that MoDOT employees are continuing to be innovative in their efforts to save resources and to accomplish an extraordinary amount of work.

Reduced Number of Facilities

Director Keith reported the Bolder Five-Year Direction proposes reducing the number of MoDOT facilities by 135. Three facilities will result from reducing the number of MoDOT districts from ten to seven. He said the revised organization will continue to provide the opportunity for employees to be challenged, productive, and able to focus on providing good service to Missourians. The reduction in the number of districts will eliminate the need for a number of middle management and support personnel.

One hundred eleven of the 135 facilities to be closed are maintenance buildings. Staff from the closed maintenance buildings will be relocated and consolidated with the remaining maintenance facilities. Seventeen Resident Engineer offices will be closed and all leased office space in Jefferson City will be terminated. Closing 135 facilities will reduce the demand for supervisors and managers by approximately 444.

Reduce Equipment Fleet

There are basic equipment needs at each maintenance facility. The closure of facilities and consolidation of staff will allow the department to reduce the number of units by 744. The Bolder Five-Year Direction envisions crews being combined and equipment shared, allowing fewer units to provide good service to Missouri citizens.

Financial Effect of the Plan

Director Keith acknowledged that the savings would fluctuate during the five-year period as employee reductions are phased in, one-time revenue is created by cash sales of facilities and equipment, and inventories are reduced. However, the estimated effect is \$512 million in the first five years with \$117 million per year ongoing long-term savings. These efforts will allow the previously anticipated \$500 million highway improvement (construction) program to increase to \$600 million per year over the next five years. He emphasized that a \$600 million program is neither sufficient to adequately address the infrastructure needs in Missouri nor sufficient in the long-term to keep the current system in good condition, but it does reflect a strategy to place as much funding as possible toward improving Missouri's highways and bridges. The proposed Bolder Five-Year Direction represents a "survival" approach given today's revenue projections. He said, however, strategies of the Bolder Five-Year Direction would continue to guide the new, smaller department to be the right size

organization to accomplish larger programs in the future should there be an increase in state and/or federal investment in infrastructure.

Implementation

Director Keith proposed that, if approved, the Bolder Five-Year Direction would be fully implemented by December 2012. The implementation plan anticipates that personnel in the maintenance facilities will be redeployed during the summer of 2011 in order to be prepared to perform snow removal operations using the new configuration. Construction crews will be consolidated during the winter months when the workload is lightest. Those in the three district offices will be reassigned no later than December 2012.

Attrition and transfers will be used as the primary strategy for employee reductions. However, it will be necessary to use layoffs as the last step in fully implementing the plan by December 31, 2012. Other details of the implementation plan will be developed through cooperation with the districts and divisions and innovation of the MoDOT employees.

Next Steps

Director Keith recommended staff be given an opportunity during the next month to concentrate its efforts on meeting with members of the public to explain the proposed Bolder Five-Year Direction and assemble public comments thereon for further staff and Commission consideration.

Commission Response

Chairman Nichols recalled that in the months following adoption of the Five-Year Direction in March 2010, it became clear that the conservative plan would not be sufficient to meet the needs of the citizens of Missouri. She said the Commission had challenged the Director to consider the needs of the state, the resources available, and the structure of the department with a fresh, unconstrained view toward accomplishing MoDOT's mission in the most efficient way possible. She said the Bolder Five-

Year Direction received by the Commission at this meeting represented the staff's response to that challenge.

Commissioner Miller noted that district engineers work closely with local businesses and citizens and are aware of varying needs and concerns across the state. He asked if district engineers had been involved in preparing the proposed plan. Director Keith explained that he had worked with MoDOT's senior managers and their teams, which includes all division heads and all district engineers, in an effort to develop a plan that would not only meet the difficult economic situation being faced today, but would also be desirable for the long term. He said the decentralized model has worked well for MoDOT to stay in close contact with the public, and will continue under the proposed plan.

In response to a query from Commissioner Carmichael regarding the amount of funds to be generated by the proposed plan, Director Keith explained that while assumptions had to be made to arrive at the figures presented, he had a high level of confidence that at least \$100 million per year would be available to redirect to Missouri's Statewide Transportation Improvement Program (STIP). He clarified that in order to have \$600 million available for the STIP, which was presented in draft form at the Commission meeting on this date, it was necessary to assume savings from both the approved Five-Year Direction and the Bolder Five-Year Direction being proposed today. This includes \$64 million in anticipated savings that the Commission agreed to spend on improving minor roads. It includes \$189 million in cash from federal fund projections to be able to match federal funds through the life of the STIP. Sixty million dollars in savings from staff reductions anticipated by the previously approved Five-Year Direction are also included. He noted that these inclusions allowed staff to present a \$600 million annual construction program, instead of a \$500 million program, which would have been the case prior to implementation of the Five-Year Direction. He emphasized that all savings achieved by the proposed plan are redirected to the STIP.

In response to a query from Commissioner Miller regarding level of service, Director Keith expressed confidence that Missouri will experience no loss in service as a result of fewer employees and fewer facilities. MoDOT will retain a presence and facilities, other than the present district offices, in those communities (Macon, Joplin, and Willow Springs) where district offices will be closed. Additionally, each area will be served by an Area Engineer. He stated MoDOT has been working with the Area Engineer concept for approximately twelve years, which has proved to be very successful in expeditiously addressing customer concerns.

There being no action by the Commission at this time, Chairman Nichols invited members of the public to attend MoDOT scheduled meetings in their areas to hear presentations on the proposed Bolder Five-Year Direction and to provide comments to staff or to the Commission through letters or e-mails directed to the Commission Secretary.

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PUBLIC COMMENTS - WILLOW SPRINGS DELEGATION

Wendell Bailey, former State Representative, State Treasurer, and Congressman, explained to the Commission the proposed closure of rural district offices is the wrong plan. Mr. Bailey shared several reasons why this plan is wrong including: the distance from the proposed district office and remote locations of the proposed districts is too far, MoDOT employees in current District 9 are the best and most committed employees of the department, closing District 9 means the rural community of Willow Springs will lose its most prestigious jobs, MoDOT will have to sell the district office building for less than its present value. Mr. Bailey stated while he understands the need to reduce personnel, he believes closing District 9 will result in little savings for the department and that he is opposed to closing district offices. Mr. Bailey then introduced other speakers from the community as well as community leaders from the area who were present but did not make public comments.

Representative Ward Franz commented that he understands the daunting task at hand, but asked the Commission to consider making these reductions in another way. He expressed his appreciation for District 9 employees who go above and beyond the call of duty. He expressed concern that losing MoDOT's good paying jobs from the region will impact his area more than any other area of the state. Although it is clear the people of Missouri want smaller government, he encouraged the Commission to thoughtfully consider making these reductions in a way that minimizes the impact on his region.

John Bailey, President of the Willow Springs Chamber of Commerce and third generation new car dealer, expressed concern for the large area that the proposed Southeast district will cover. Currently, District 9 includes 20,000 square miles and has an efficient road system with great employees who are professional and passionate about their jobs. The proposed direction will not only affect the employees, but will negatively impact the transportation system in District 9.

Scott Williamson, Pastor of Willow Springs General Baptist Church, explained that while the Commission faces some tough decisions, it may seem the easiest solution to MoDOT's budget shortfall is to eliminate three district offices. However, what is easiest may not be what is best. He explained his opposition to the proposal by comparing MoDOT jobs in urban versus rural areas. He believes that in urban areas MoDOT jobs are not prized positions, but are rather used to help people build their resumés. In comparison, people choose to build their life in a rural area and value MoDOT positions. In the rural areas MoDOT employees are community leaders and are active in civic organizations. In addition, MoDOT employees from rural areas are innovative, productive, and committed; quite simply, they are the best part of MoDOT. While MoDOT faces a huge budget shortfall, this burden should be shared by all Missourians, not just the rural MoDOT employee. Pastor Williamson stated that the Commission has been tasked to make a wise decision for the state of Missouri not just the easiest decision. He explained that he believes the proposed elimination of District 9 is the easy decision and is a bad decision for the

state of Missouri. He requested the Commission do what is best for Missouri by keeping the best part of MoDOT, which is District 9.

Lou Wehmer, a retired Missouri State Highway Patrol (MSHP) communications officer, expressed his concern for the area's ability to respond to disasters and emergencies should the district office be closed. He explained that MoDOT and MSHP have a great working relationship in preparing for and responding to transportation related emergencies and disasters. Mr. Wehmer believes District 9 is critical in providing emergency response to an earthquake disaster. District 9 and MSHP Troop G are both located in Willow Springs and have a history of excellence in working together to mitigate disasters. Mr. Wehmer considers moving the district operational center a greater distance away from Troop G a dangerous proposal.

Jay Waggoner, Mayor of Willow Springs and MoDOT retiree, expressed concern about the procedure the department used to develop the proposed Bolder Five-Year Direction. Mr. Waggoner explained that the department has improved its reputation through an excellent public involvement process for the development of the construction program. When planning projects, the department seeks public input to determine how to meet the transportation needs of the state. He explained that the process used to develop this proposal did not include any elected officials, members of the general public, nor rank and file employees. He expressed concern about the public's perception of the process MoDOT used to develop this new direction, and asked the Commission to allow the public and employees to be involved in developing a plan that is best for everyone.

Mark Collins, Howell County Presiding Commissioner, expressed concern about the reduction of services that he feels will occur if the proposed Bolder Five-Year Direction is implemented. He also requested the district offices not be sold, but rather closed temporarily, so in the future the district office could be reopened when more transportation funding becomes available. Mr. Collins also asked the

Commission to keep an open mind during the public comment period and reconsider the closure of the three district offices.

Chair Nichols thanked the speakers individually for their presentations and expressed appreciation for everyone from the region who attended the meeting, and stated the Commission is anxious to hear more during the next thirty days of public comment.

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PUBLIC COMMENTS – MACON DELEGATION

Allan Muncy, City of Macon's City Administrator asked the Commission why implement a plan that will decimate communities when transportation funding is a statewide problem, not a local problem? Closing the district offices in Macon, Joplin, and Willow Springs will be a critical blow to those three communities. Simply because MoDOT is in a funding crisis, does not mean that crisis is corrected by handing it down to a community that has helped and supported the department for years. Mr. Muncy asked why community leaders were not allowed to provide input. Community leaders have proven their ability and trustworthiness to partner with MoDOT because they were instrumental in the creation of the state's largest Transportation Development District that paid for four laning US 36. The community of Macon is willing to partner with MoDOT, and is currently reviewing concessions that may make it feasible to keep the Macon district office open. Mr. Muncy expressed concern the closure of the Macon district office will mean a loss of eighty jobs and will create a subsequent hardship on schools, counties, communities, citizens, and MoDOT employees. He asked the Commission consider Macon's central location in the proposed new Northeast District boundaries and shared the benefits of having a district office at a geographically central location and will save fuel costs, employee travel time, and provide convenient access to the citizens of the area. Mr. Muncy expressed concern about how quickly this plan was developed and the lack of community input into the plan.

Denise Bennett, Executive Director of Macon County Economic Development stated this is a statewide issue facing the Commission and the devastation could be distributed better, rather than centered on three very small communities. She explained that while the nation and the state of Missouri are pushing job creation to help with the economic recovery, the rural areas are simply seeking business retention and keeping jobs in the rural areas. MoDOT's employees have good benefits and good pay which benefit the entire community. Ms. Bennett explained that business leaders are rallying to address overhead cost issues and develop a plan that will help MoDOT cut expenses and be able to keep the Macon district office open. She asked the Commission to reconsider the proposal on behalf of the District 2 MoDOT employees and for the impact it will have on the small community of Macon.

Allan Wyatt, Presiding Commissioner of Macon County expressed concern that the level of service to the north central area will be drastically reduced with the closure of the District 2 office. He explained the inefficiency of having a district office in Hannibal rather than Macon with the increased cost of fuel and staff time for travel. He also stated that the county desires to work with MoDOT to be able to continue to provide services to north central Missouri, even if it has to be a smaller and leaner office. He asked the Commission to consider the time frame for this proposal, allow the plan to be completed before implemented, and to allow public comment on the proposal in order to be able to make a fair and balanced decision.

John Dwiggins, Commissioner of Macon County expressed concern over the lack of details in the broad plan that was presented by Director Kevin Keith. The proposed plan will impact the community tax base, and the local school systems. The Macon office is centrally located in the proposed Northeast District boundaries and he stated that Macon would be the preferred location for a district office for the new Northeast District. He explained that not only is Macon geographically central, but Macon has led the way in partnering with MoDOT to provide funding for four laning US 36

and Highway 63. He reminded the Commission that the first chairman of the Highway Commission was Theodore Gary, a lifelong resident of Macon. Mr. Gary was instrumental in bringing the district office to Macon when the districts were created in the 1920's.

Chair Nichols expressed appreciation for all of the presentations from the Macon delegation.

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PUBLIC COMMENTS – JOPLIN DELEGATION

Mike Woolston, Mayor of Joplin recognized the difficult task of prioritizing budget cuts. While he understands economic conditions dictate deliberation of the proposed Bolder Five-Year Direction, he is concerned about the merger of the Joplin and Springfield district offices. For many years Joplin has worked closely with District 7 to enhance the highway system in the southwest region. The regional cooperation covered funding, customer service, and mutual involvement in planning, prioritization, and the decision making required to complete projects in the region that established safe and efficient roadways. The Joplin region is the fastest growing area of the state with population increasing one percent per year for the last ten years. Soon, Joplin will become only the third city in the state where two or more interstate highways intersect. He stated he has learned that cities develop around highways, coupled with Joplin's growth, the community is poised to lead the state out of its economic difficulties. Mayor Woolston expressed concern that closing the district office will diminish the ability to play a key role in the state's economic recovery. He explained while the Commission's decision will not please all citizens, he asked for careful consideration of reductions in the Joplin region so that the growth and development of the area will continue.

Chair Nichols thanked Mayor Woolston for his presentation.

CONSIDERATION OF BIDS FOR ROADWAY IMPROVEMENTS

On behalf of the Director, Kathy Harvey, State Design Engineer, presented the following recommendations pertaining to bids received on federal-aid and state highway and bridge projects during the past month.

Ms. Harvey recommended (1) Award of contracts to the lowest responsive bidders for bids received on the April 22, 2011 letting, as recommended and noted in Table I below. Non-contractual costs for these projects are shown on the below tabulation. (2) Reject the bids received on Call 201, as noted in Table II below, due to excessive bids, per Section 102.15 of Missouri Standard Specifications. (3) Declare the bid of R. A. Knapp Construction, Inc. for Call 105 and the bid from L. F. Krupp Construction, Inc. for Call 605 as non-responsive, per Section 102.8 of the Missouri Standard Specifications for Highway Construction, due to not completing their bids in accordance with the bidding documents. (4) Note Call 801 has funding by the City of Branson and requires concurrence, and the City has concurred.

Table I Award of Contracts April 22, 2011, Bid Opening

Call	Route	County	Job No.	Bid Amount	Non-	Contractor	Description
No.					Contractual		
					Costs		
105	F	DeKalb	J1B0801P	\$291,606.84	\$0	Chester Bross	Alt. Bridge Redeck or
						Const. Co./C. B.	Superstructure
						Equipment, Inc.	
301	CC, T	Shelby,	J3B0801L	1,140,512.36	0	APAC-Missouri,	Bridge Rehabilitation
		Marion				Inc.	and Bridge
							Replacement
401	435	Platte	J4I2327	6,261,770.41	656.00	Ideker, Inc.	Pavement Repair and
							Underdrains with
							Alternate
							Undersealing
	435	Platte	J4I2327B		0		Resurfacing with
							Superpave
402	13	Lafayette	J4P2172	435,642.40	656.00	APAC-Missouri,	Thin-Lift Overlay
	13	Lafayette	J4P2172B		0	Inc.	w/One Add Alt.
		-					Pavement Repair

Call	Route	County	Job No.	Bid Amount	Non-	Contractor	Description
No.					Contractual Costs		
403	70 SOR	Lafayette	J4S2346	256,692.84	418.00	APAC-Missouri,	Resurface
						Inc.	w/Superpave,
							Pavement Repair
406	50	Johnson	J4P1969	2,496,352.44	1,312.00	Leavenworth	Intersection
	50	Jackson	J4P1959		836.00	Excavating &	Improvements
						Equip.	
407	7 150	T 1	LADOGOOG	007.620.70	0	Company, Inc.	m D:1
407	7, 150	Jackson	J4B0802G	897,639.70	0	Comanche	Two Bridge
						Construction, Inc.	Rehabilitations
408	C, Z	Henry	J4B0801K	1,366,058.44	0	APAC-Missouri,	Bridge Redeck and
408	C, Z	пешу	J4D0001K	1,300,036.44	0	Inc.	Replacement
409	350	Jackson	J4B0802H	969,460.13	1,312.00	APAC-Kansas	Bridge Rehabilitation
107	330	Juckson	3 12000211	707,100.13	1,312.00	Inc., Kansas City	with ADA
						Division Division	Improvements
410	B, N, K,	Henry,	J4B0801L	3,941,468.62	418.00	Leath & Sons,	Four Bridge
	O	Johnson		, ,		Inc.	Rehabilitations and
							Redecks
412	169	Clay	J4U1314C	430,715.25	0	Leath & Sons,	Bin Wall
		-				Inc.	Rehabilitation Test
							Project
601	70	St. Louis City	J6U1086	21,826,136.89	97,426.00	Millstone	New Interchange to
						Bangert, Inc.	Connect I-70 to the
							Mississippi River
602	70	G . Cl . 1	1410077	1 720 255 02	656.00	3.6	Bridge
603	70	St. Charles	J6I2277	1,738,355.93	656.00	Magruder	Pavement Repair and
						Paving, LLC	Resurfacing with UBAWS
604	D	St. Charles	J6S2192B	2,272,206.65	418.00	Magruder	Grading, Drainage and
004	DD	St. Charles	J6S2310	2,272,200.03	418.00	Paving, LLC	Paving with BP-1
605	N	St. Charles	J6S1988	1,087,956.30	656.00	Kolb Grading,	Grading and Alternate
003	11	St. Charles	3031900	1,007,930.30	050.00	LLC	Bid Pavement
						LLC	(Superpave or PCCP)
606	P	St. Charles	J6S2391	1,235,000.00	656.00	Pace	Grading, Add
	_		0002071	1,200,000.00	32 3.33	Construction	Shoulders, Resurface
						Company, LLC	with BP-2
701	71	Jasper,	J7B0801K	4,878,655.60	1,312.00	Emery Sapp &	Two Bridge
		Barton		•		Sons, Inc.	Replacements, One
							Bridge Redeck
801*	248	Taney	J8S2370	4,905,952.00	1,312.00	APAC-Missouri,	Bridge Painting
	65	Taney	J8P0798		0	Inc.	Optional Widening to
							Construct Diverging
		_					Diamond Interchange
802**	BL44	Greene	J8P0881C	1,194,369.03	656.00	APAC-Missouri,	Resurfacing with
						Inc.	UBAWS, ADA
002	- 60		1002100	1 550 0 10 05	11100	T T	Improvements
903	63	Oregon	J9P2180	1,570,048.35	144.00	Leo Journagan	Resurface w/
						Construction	Superpave, Bridge
X01	60 OR	Stoddard	J0P2235	1,251,974.14	0	Co., Inc. ASA Asphalt,	Deck Repair Thin Lift Overlay (SL)
AUI	oo OK	Stoanara	JUP 2 2 3 3	1,231,974.14	U	ASA Aspiiait,	Timi Liit Overlay (SL)

Call No.	Route	County	Job No.	Bid Amount	Non- Contractual Costs	Contractor	Description
	51	Stoddard	J0S2275			Inc.	Widening Shoulders and Resurfacing with BP-1
			SUB- TOTAL:	\$60,448,574.32	\$109,262.00		
				Job Order Cont			
101	29	Andrew, Holt, Atchison	J2I2163B	\$390,875.00	\$0	Herzog Contracting Corp.	Job Order Contracting Asphalt Pavement Repair
102	29, 229	Platte, Buchanan, Andrew	J2I2163C	378,375.00	0	Herzog Contracting Corp.	Job Order Contracting Asphalt Pavement Repair
103	35	Daviess, Harrison	J2I2163D	408,375.00	0	Herzog Contracting Corp.	Job Order Contracting Asphalt Pavement Repair
104	35	Daviess, Caldwell, Clay, Clinton, DeKalb	J2I2163E	380,625.00	0	N. B. West Contracting Company	Job Order Contracting Asphalt Pavement Repair
404	Various	Jackson, Clay, Lafayette, Platte	J2I2163F	1,454,000.00	0	Chester Bross Const. Co./C. B. Equipment Inc.	Job Order Contracting Asphalt Pavement Repair
405	Various	Jackson, Clay, Lafayette, Platte	J2I2163G	1,052,000.00	0	Freeman Concrete Construction, LLC	Job Order Contracting Concrete Pavement Repair
501	70	Various	J2I2163H	337,750.00	0	Chester Bross Const. Co./C. B. Equipment Inc.	Job Order Contracting Asphalt Pavement Repair
502	70	Various	J2I2163I	308,125.00	0	Chester Bross Const. Co./C. B. Equipment Inc.	Job Order Contracting Asphalt Pavement Repair
503	70	Various	J2I2163J	616,250.00	0	Chester Bross Const. Co./C. B. Equipment Inc.	Job Order Contracting Asphalt Pavement Repair
602	Various	Various	J6M0171	58,093.20	0	Gerstner Electric Inc.	On-Call Replacement of Traffic Signal Loop Detectors
607	Various	Various	J6P2356	598,800.00	0	Pace Construction Company, LLC	Job Order Contract Non-Interstate Asphalt Repair
608	Various	Various	J6P2356B	676,250.00	0	Lamke Trenching & Excavating, Inc.	Job Order Contract Non-Interstate Concrete Repair
609	Various	Various	J2I2163K	598,500.00	0	J. L. Brown Contracting Service, Inc.	Job Order Contracting Concrete Pavement Repair
610	Various	Various	J2I2163L	1,223,400.00	0	Pace Construction Company, LLC	Job Order Contracting Asphalt Pavement Repair

Call	Route	County	Job No.	Bid Amount	Non-	Contractor	Description
No.					Contractual		
					Costs		
611	Various	Various	J2I2163M	1,207,400.00	0	Pace	Job Order Contracting
						Construction	Asphalt Pavement
						Company, LLC	Repair
702	44	Newton	J2I2163N	401,000.00	0	APAC-Missouri,	Job Order Contracting
						Inc.	Asphalt Pavement
							Repair
803	Various	Various	J8P2252	188,000.00	0	APAC-Missouri,	Job Order Contracting
						Inc.	Asphalt Pavement
							Repair
804	Various	Greene,	J8P2253	359,000.00	0	APAC-Missouri,	Job Order Contracting
		Christian				Inc.	Asphalt Pavement
							Repair
807	44	Greene	J2I2163O	401,000.00	0	APAC-Missouri,	Job Order Contracting
						Inc.	Asphalt Pavement
							Repair
808	44	Laclede,	J2I2163P	193,800.00	0	Willard Asphalt	Job Order Contracting
		Webster				Paving, Inc.	Asphalt Pavement
							Repair
901	44	Pulaski	J2I2163Q	193,800.00	0	Willard Asphalt	Job Order Contracting
						Paving, Inc.	Asphalt Pavement
000		701 1	YOYO L COD	250 500 00		N D W	Repair
902	44	Phelps	J2I2163R	278,600.00	0	N. B. West	Job Order Contracting
						Contracting	Asphalt Pavement
7702	55 57	***	10101600	127 000 00	0	Company	Repair
X03	55, 57	Various	J2I2163S	125,000.00	0	Fronabarger	Job Order Contracting
						Concreters, Inc.	Concrete Pavement
3704	55 57	X7	10101 <i>C</i> 2T	152 125 00	0	A D. ' C.	Repair
X04	55, 57	Various	J2I2163T	153,125.00	0	Apex Paving Co.	Job Order Contracting
							Asphalt Pavement
V05	55 155	Various	J2I2163U	125 000 00	0	Engage le conserva	Repair Job Order Contracting
X05	55, 155	various	J212163U	125,000.00	0	Fronabarger	
						Concreters, Inc.	Concrete Pavement
X06	55, 155	Various	J2I2163V	174,875.00	0	Apex Paving Co.	Repair Job Order Contracting
Λ00	33, 133	v arrous	J212103 V	174,073.00		Apex raving Co.	Asphalt Pavement
							Repair
			SUB-	\$8,609,000.00***	\$0		Керан
			TOTAL:	φο,υυσ,υυυ.υυ · · ·	50		
			GRAND	\$69,057,574.32			
			TOTAL:	φυσίου 1 του Δ			
			101111		l		

^{*} Call 801 – Funding by City of Branson \$4,313,799.

** Call 802 – Funding by City of Springfield \$30,600.

*** Subtotal Award Amounts Changed to Reflect Program Cap.

Table II Rejection of Bids April 22, 2011, Bid Opening

		I -	, ,	F
Call No.	Route	County	Job No.	Description
201	127	Saline	12D0901E	Duidae Danle coment
201	127	Saine	J2B0801F	Bridge Replacement

Commission Consideration and Action

After consideration, and upon motion by Commissioner Gach, seconded by Commissioner Suelthaus, the Commission took the following action with the abstentions noted below:

- 1. Awarded contracts to the lowest responsive bidders for bids received on the April 22, 2011 bid opening, as recommended and noted in Table I above. Non-contractual costs for these projects are shown on the above tabulation.
- 2. Rejected the bids received on Call 201, as noted in Table II above, because they were considered excessive.
- 3. Declared the bid of R. A. Knapp Construction, Inc. on Call 105 and the bid of L. F. Krupp Construction, Inc. on Call 605 as non-responsive.
- 4. Noted receipt of concurrence from the City of Branson on Call 801.

In keeping with the Commission's Delegation of Authority to Execute Documents Policy, the Director, Chief Engineer, or the Chief Financial Officer may execute the contracts awarded above. Commissioner Miller abstained from calls 101, 102, 103, 411, 701, and 903.

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REQUEST FOR APPROVAL OF LOCATION AND DESIGN OF HIGHWAYS

Route 63, Boone County
Interchange at Route H (Columbia Regional Airport)
Job No. J5P0738
Public Hearing Held March 22, 2011
On-Line Public Meeting March 22-29, 2011

This proposed improvement provides a new interchange on Route 63 at Route H near the Columbia Regional Airport in Boone County. The improvement will include constructing approximately three miles of new southbound lanes from just north of Route 163 to Route H and

reconstructing five existing median openings. The existing southbound lanes will become an outer road. Route 63 will consist of two twelve-foot lanes in each direction with four-foot inside and ten-foot outside shoulders. The outer roadway (existing southbound lanes) will consist of two twelve-foot lanes with ten-foot shoulders. Route 63 will have fully controlled access right of way and the outer road will have normal access right of way. Route 63 will remain open to traffic during construction. Route H will be closed and detoured to Hardwick Lane and Rangeline Road. The project is 4.6 miles in length.

Kathy Harvey, State Design Engineer, recommended approval of the location and design as presented at the public hearing.

Route T, Perry County
0.2 mile East of Route T
Job No. J0S2230
Public Hearing Held March 10, 2011

This proposed improvement consists of replacement of the bridge over Saline Creek. Route T will have two twelve-foot lanes with one-foot shoulders. Route T will have normal access right of way. Route T will be closed to traffic during construction of the new bridge. Traffic will be detoured over other state routes. The project is 0.2 mile in length.

Mark Shelton, District 10 Engineer, recommended approval of the location and design as presented at the public hearing.

After full consideration of the favorable and adverse economic, social and environmental effects of the recommended designs, the Commission via approval of the Consent Agenda unanimously found and determined the recommended locations and/or designs would best serve the interest of the public and approved the recommendation.

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RATIFICATION AND APPROVAL OF RIGHT OF WAY PLANS FOR CONDEMNATION

On behalf of the Director, Kathy Harvey, State Design Engineer, recommended the Commission ratify and approve the following detailed project plans, approved by the Chief Engineer, which have been filed for condemnation.

County	Route	Job Number
Marion	61	J3P0714
Marion	168	J3S0781

In accordance with Section 227.050 RSMo, the Commission via approval of the Consent Agenda, approved the detailed project plans for the above noted projects and directed they be filed as necessary for the condemnation of right of way.

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-- REPORTS --

The Commission received the following written reports.

FINANCIAL – BUDGET - REPORTS YEAR-TO-DATE FINANCIAL REPORT, March 31, 2011

Deborah S. Rickard, Controller, provided to the Commission the Fiscal Year 2011 monthly financial report for the period ended March 31, 2011, with budget and prior year comparisons.

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FINANCIAL ACCOUNTABILITY REPORT, QUARTERLY REPORT

Deborah S. Rickard, Controller, provided to the Commission the written Quarterly Financial Accountability Report for the period ending March 31, 2011.

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DESIGN/BRIDGE ENGINEERING CONSULTANTS

Kathy Harvey, State Design Engineer, provided to the Commission the Design/Bridge Engineering Consultants Report as of March 31, 2011. The report reflects current active consultant work on projects contained in the State Transportation Improvement Program.

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CONTRACTOR PERFORMANCE REPORT

Dave Ahlvers, State Construction and Materials Engineer, presented the annual contractor performance report for 2010. Performance summaries were mailed to the contractors the week of May 9, 2011. One contractor was identified for probation through the annual performance rating process. Contractors receiving the top ratings for the 2010 construction season will be recognized at the MoDOT / AGC Coop meeting in the fall of 2011.

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ASSISTANCE PROVIDED TO CONTRACTORS BIDDING ON MODOT ROAD AND BRIDGE IMPROVEMENTS

Kathy Harvey, State Design Engineer, presented a report about MoDOT's efforts to assist contractors with creating new and innovative bidding practices to eliminate bid errors, increase the number of bidders, and provide a fair and transparent bidding process. MoDOT staff meets with the industry routinely to discuss new and innovative bidding opportunities. In January 2007, optional electronic bidding was implemented and in July 2009, mandatory electronic bidding was implemented for bids over \$250,000. In May 2009, annual bid bonds were allowed as a convenience to the contractors and to help minimize bid errors due to incorrect bond submittals. In September 2010, MoDOT's website was modified to create a one-stop-shop for "Bidding and Contracting Opportunities". In March 2011, a "Doing Business with MoDOT" brochure was created to summarize MoDOT's bidding requirements. All Notices of Bid Openings are posted on the website and electronically provided to all bidders approved to do bidding with MoDOT. Since January 2009, MoDOT has taken 4,001 bids on 1,251 awarded projects, of which only 31 bids (less than one percent) were declared non-responsive or irregular.

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By unanimous consensus of all members present, the meeting of the Commission adjourned.

The Mission of the Missouri Highways and Transportation Commission is to:

- Represent the citizens of Missouri pursuant to the Constitution by providing independent and nonpartisan governance of the Missouri Department of Transportation; and
- Establish policies, exercise oversight, and ensure accountability in developing and maintaining a world class transportation system in Missouri which fosters safety and economic development.

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